



State of South Carolina

Office of the Governor

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GOVERNOR

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May 24, 2006

The Honorable Robert Harrell, Jr.
Speaker of the House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval H. 3977, R-311.

H. 3977 removes the Criminal Justice Academy from the Department of Public Safety and creates yet another island of government. This legislation, I believe, is the most recent example of the assault on accountability that has taken place since the Restructuring Act was enacted by the General Assembly in 1994. In addition, flaws in the legislation threaten a smooth transition which could damage operations of the Academy for some time.

First, it defies logic that, as we have made important strides in improving this facility, the General Assembly would pass legislation that now diffuses accountability. The Law Enforcement Training Council, charged with running the Academy in this bill, is comprised primarily of agency heads that hold the important responsibility of operating statewide law enforcement on several different fronts.

In Washington, Congress has now gotten to the point that they debate less than one-third of the federal budget annually. The rest of government is, in essence, on auto-pilot, and rarely gets the attention that it needs. The net result has been record deficits and a national debt that generations to come will be fighting to pay down. This is not a strategy we should emulate here in South Carolina, and yet, creating separate islands of government in our state, in the long run, moves us in this direction.

Ultimately, our state is better served by a more transparent government, rather than maintaining that the business of the people should be tucked away in various corners of Columbia. The catalyst for the Restructuring Act in 1994 was the result of improper,

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and, in some cases, illegal activities by those opposed to more open government. This bill is another step back from the small changes made just over a decade ago.

Furthermore, this legislation is inartfully drafted, leaving a gap in management in the agency for at least six months. Control of the Academy would be immediately turned over to the Council. However, five members cannot be appointed until January 1, 2007 and the Council cannot meet until some time after those appointments. In effect, the Academy will be set adrift for six months without accountability to either the Department of Public Safety or the Law Enforcement Training Council. This flaw in the legislation could set the stage for weakening the position of the Academy for some time to come.

This Administration's strong advocacy of the Criminal Justice Academy has been a break from previous governors. Starting with my Executive Budget for Fiscal Year 2005-2006, my Administration has been the first to request additional funds for the Academy over the funding provided from fees and fines collected. We were grateful that the General Assembly adopted our proposal to provide an additional \$1.4 million in funding for deferred maintenance for the current fiscal year. In addition, I was glad to support the initiative by Representatives Annette Young and Gilda Cobb-Hunter for an additional \$2 million from the Sinking Fund to go to the Academy. In my Executive Budget for FY 2006-2007, I proposed an additional \$1 million for deferred maintenance, three additional officers to improve certification efforts, and nearly \$600,000 for automation upgrades.

We have also changed the way we provide training at the Academy by taking law enforcement training outside of Columbia and providing more training in six regional centers around the State. The effect has been reduced travel time for local law enforcement officers and increased access for training available to all corners of the State.

During debate in the Senate, Senator Chip Campsen offered an amendment, which I supported, to elevate the Criminal Justice Academy to a Division of the Governor's Office, much like SLED. The Executive Director of the Academy would have been able to work with the other law enforcement agency heads through my Cabinet. This would have elevated the importance of the Academy as a statewide law enforcement training asset and allowed for a clear line of accountability.

I would urge you to reject this well-intended, but seriously flawed legislation.

For these reasons, I am returning H. 3977 to you without my signature.

Sincerely,



Mark Sanford